

REMARKS

Claims 1-31 were originally filed in the present application. A preliminary amendment cancelled Claims 1-31 and added Claims 32-53. In the Restriction Requirement mailed April 28, 2004, the Examiner restricted claims 32-53 into the following six groups:

- I. Claims 32-41 drawn to a cell culture cell-type or development-specific expression of a fluorescent protein, classified in class 435, subclass 325.
- II. Claims 42-46, drawn to a method of preparing a cell that demonstrates cell-type or development-specific expression of a fluorescent protein, classified in class 435, subclass 455.
- III. Claims 47, 52 and 53, drawn to a method of using a cell culture cell-type or development-specific expression of a fluorescent protein, classified in class 424, subclass 93.1.
- IV. Claims 48 and 49, drawn to a method of making a transgenic non-human mammal that expresses a cell-type or development-specific expression of a fluorescent protein, classified in class 800, subclass 21.
- V. Claim 50, drawn to a transgenic non-human mammal exhibiting, classified in class 800, subclass 8.
- VI. Claims 51-53, drawn to a method of using a transgenic cell or non-human mammal to study development and differentiation, classified in class 800, subclass 3, for example.

(Restriction Requirement, page 3). Applicants herein elect, without traverse, to prosecute the claims of Group I. Applicants also herein cancel claims 42-53 in order to further their business interests and the prosecution of the present application, yet without acquiescing

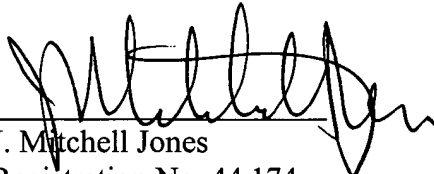
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to the Examiner's arguments, and while preserving the right to prosecute the canceled (or similar) claims in the future.

As such, Claims 32-41 are pending and under examination following entry of Applicants' response to the outstanding Restriction requirement.

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